



37 C.F.R. 1.60 APPLICATION  
CONTINUATION OR DIVISIONAL  
Page 1 of 3

08/434105 A  
Express Mail # RB985332788US  
Case No. 38-21(13553)A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Anticipated Classification of This Application:

Class  
Subclass

Prior Application: Examiner Hendricks, K Art Unit 1814

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith for filing is a divisional, under 37 C.F.R 1.60, of pending prior Application Serial Number 07/959,506, filed on October 9, 1992, entitled SYNTHETIC PLANT GENES AND METHOD FOR PREPARATION, which is a File Wrapper Continuation of U.S. application serial No. 07/476,661, filed February 12, 1990, which is a Continuation-in-part of application serial No. 07/315,355, filed February 24, 1989.

Enclosed is a copy of the prior application, including the Oath of Declaration as originally filed. I hereby verify that the attached papers are a true copy of said prior application as originally filed on February 12, 1990. A File Wraper Continuation application was filed on October 9, 1992.

Cancel in this application original Claims 13-38 of the prior application before calculating the filing fee. (At least one original, independent claim must be retained for filing purposes)

Amend the specification by inserting before the first line the sentence: --  
This is a Divisional of U.S. application serial No. 07/959,506, filed on October 9, 1992, which is a File Wrapper Continuation of U.S. application serial No. 07/476,661, filed February 12, 1990, which is a Continuation-in-part of application serial No. 07/315,355, filed February 24, 1989.

A preliminary amendment is enclosed.

An Information Disclosure Statement is enclosed.

The filing fee is calculated below:

Basic Filing Fee [37 CFR 1.16(a)]			\$730.00
Additional Filing Fee [37 CFR 1.16(b), (c)]			
Claims	No. Filed	No. Extra	Rate
Independent	4 - 3 =	1	X \$76.00 =
			76.00
Total	12 - 20 =	0	X \$22.00 =
			0
TOTAL FEE:			\$806.00

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- A triplicate copy of this transmittal paper is enclosed.
- Please charge the above calculated total fee to my Deposit Account No. 13-4125.
- The Commissioner is hereby authorized and requested to charge any fees in addition to the above as well as all future fees set forth in 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this Application, and credit any overcharges to Deposit Account No. 13-4125 [37 CFR 1.25(b)].

NOTE: THIS AUTHORIZATION DOES NOT INCLUDE FEES  
REQUIRED UNDER 37 CFR 1.18

- Use the computer readable sequence listing supplied with Serial No. ^, filed ^, for this application. It was the only one filed in that application. It is identical to the sequence disclosed at pages ^ of the enclosed specification.
- Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. ANOTHER DUPLICATE COPY OF THIS SHEET IS ENCLOSED FOR FILING IN THE PRIOR APPLICATION FILE.
- Forty-six (46) sheets of drawings are enclosed.
- Priority of Application Serial No. ^, filed on ^ in ^ (country) is claimed under 35 U.S.C. 119.
- The certified copy of the priority application has been filed in prior Application Serial No. ^, filed ^.
- The prior application is assigned of record to Monsanto Company, 700 Chesterfield Village Parkway, St. Louis, Missouri 63198.
- The Power of Attorney in the prior application is to Dennis R. Hoerner, Registration Number 30,914.
- The power appears in the original papers in the prior application.
- Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- Please recognize Lawrence M. Lavin, Jr., Registration No. 30,768, as associate agent in the above-entitled application.

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Address all future communications to:

Lawrence M. Lavin, Jr.  
Monsanto Company - BB4F  
700 Chesterfield Parkway North  
St. Louis, Missouri 63198

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: May 3, 1995

Address of Signer:



Lawrence M. Lavin, Jr.  
Attorney of Record  
Registration No. 30,768  
700 Chesterfield Village Parkway  
St. Louis, Missouri 63198  
Telephone (314) 537-6670

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08/434105

**PATENT**  
38-21(13553) A

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF

D. A. FISCHHOFF AND  
F. J. PERLAK

SERIAL NUMBER: To be Assigned  
(CONTINUATION OF  
SERIAL NUMBER 07/959,506)

FILED: May 3, 1995

TITLE: SYNTHETIC PLANT GENES  
AND METHOD OF PREPARATION

GROUP ART UNIT: 1814

EXAMINER: HENDRICKS, K.

May 3, 1995

**CERTIFICATE OF MAILING BY EXPRESS MAIL**

Commissioner of Patents and Trademarks  
Washington, D. C. 20231

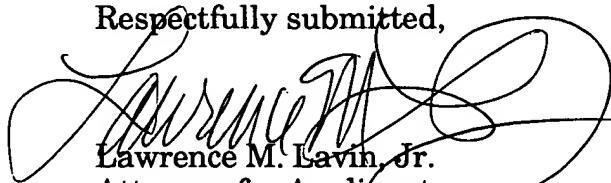
Sir:

"EXPRESS MAIL" mailing label number: RB 985332788 US

Date of Deposit: May 3, 1995

I hereby certify that the attached file wrapper continuation application is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" in an envelope addressed to the Commissioner of Patents & Trademarks, Washington, D.C. 20231 under 37 CFR 1.10 on the above-identified date of deposit.

Respectfully submitted,



Lawrence M. Lavin, Jr.  
Attorney for Applicants  
Registration No. 30,768

Monsanto Company  
700 Chesterfield Parkway North  
St. Louis, Missouri 63198  
(314) 537-6670

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